

ORDINANCE NO. 99 - 70

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
89-17, AS AMENDED; AMENDING THE FUTURE LAND USE
ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE
AMENDMENT 99-CHX (CROSS-HATCHING), AMENDING THE
FLUA TO REMOVE CROSS-HATCHING ON 56 PARCELS WITH
COMMERCIAL FUTURE LAND USE DESIGNATIONS;
PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE
PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners has initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Board of County Commissioners conducted a public hearing on March 13, 1991, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 13, 1991, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the amendments transmitted to the Department of Community

1 Affairs did not include an amendment to remove the cross-hatched lines
2 from parcels which were developed and/or less than one acre as directed
3 by the Board of County Commissioners; and

4 **WHEREAS**, the Palm Beach County Board of County Commissioners
5 adopted amendments to the Comprehensive Plan on August 22, 1991 in
6 Ordinance 99-31; and

7 **WHEREAS**, Ordinance 99-31 as adopted did not include the amendment
8 to remove did not include the amendment to remove the cross-hatched
9 lines from parcels which were developed and/or less than one acre as
10 directed by the Board of County Commissioners at transmittal; and

11 **WHEREAS**, the Palm Beach County Board of County Commissioners have
12 initiated this remedial amendment to remove the cross-hatched lines
13 from parcels which were developed and/or less than one acre as directed
14 by the Board of County Commissioners in 1991; and

15 **WHEREAS**, the Palm Beach County Local Planning Agency conducted a
16 public hearing on June 11, 18 and 25, July 9, August 13, and November
17 19, 1999 to review the proposed amendments to the Palm Beach County
18 Comprehensive Plan and made recommendations regarding the proposed
19 amendments to the Palm Beach County Board of County Commissioners
20 pursuant to Chapter 163, Part II, Florida Statutes; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
22 the governing body of Palm Beach County, conducted a public hearing
23 pursuant to Chapter 163, Part II, Florida Statutes, on July 28, August
24 17, and August 24, 1999 to review the recommendations of the Local
25 Planning Agency, whereupon the Board of County Commissioners authorized
26 transmittal of proposed amendments to the Department of Community
27 Affairs for review and comment pursuant to Chapter 163, Part II,
28 Florida Statutes; and

29 **WHEREAS**, Palm Beach County received on November 16, 1999 the
30 Department of Community Affairs "Objections, Recommendations, and
31 Comments Report," dated November 12, 1999 which was the Department's
32 written review of the proposed Comprehensive Plan amendments; and

1 **WHEREAS**, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 **WHEREAS**, on December 13, 1999 the Palm Beach County Board of
5 County Commissioners held a public hearing to review the written
6 comments submitted by the Department of Community Affairs and to
7 consider adoption of the amendments; and

8 **WHEREAS**, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the Future Land Use Atlas of the Land Use
15 Element of the 1989 Comprehensive Plan

16 The following amendments to the Land Use Element's Future Land Use
17 Atlas are hereby adopted and attached to this Ordinance:

18 A. Future Land Use Atlas pages 57, 58, 64, 65, 71, 72, 77, 78,
19 82, 83, 110 are amended to remove cross-hatching as depicted in Exhibit
20 1.

21 Part II. Repeal of Laws in Conflict
22 All local laws and ordinances applying to the unincorporated area
23 of Palm Beach County in conflict with any provision of this ordinance
24 are hereby repealed to the extent of such conflict.

25 Part III. Severability
26 If any section, paragraph, sentence, clause, phrase, or word of
27 this Ordinance is for any reason held by the Court to be
28 unconstitutional, inoperative or void, such holding shall not affect
29 the remainder of this Ordinance.

30 Part IV. Inclusion in the 1989 Comprehensive Plan
31 The provision of this Ordinance shall become and be made a part
32 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the

Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm
Beach County, on the 13 day of December, 1999.

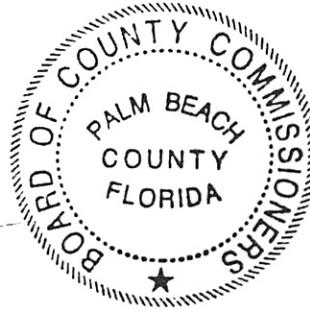
ATTEST: PALM BEACH COUNTY, FLORIDA,
DOROTHY H. WILKEN, Clerk BY ITS BOARD OF COUNTY COMMISSIONERS

By: Joan Sawerly
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY -

COUNTY ATTORNEY



Filed with the Department of State on the 23rd day
of December , 1999.

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EXHIBIT 1

A. Future Land Use Atlas page 57 is amended as follows:

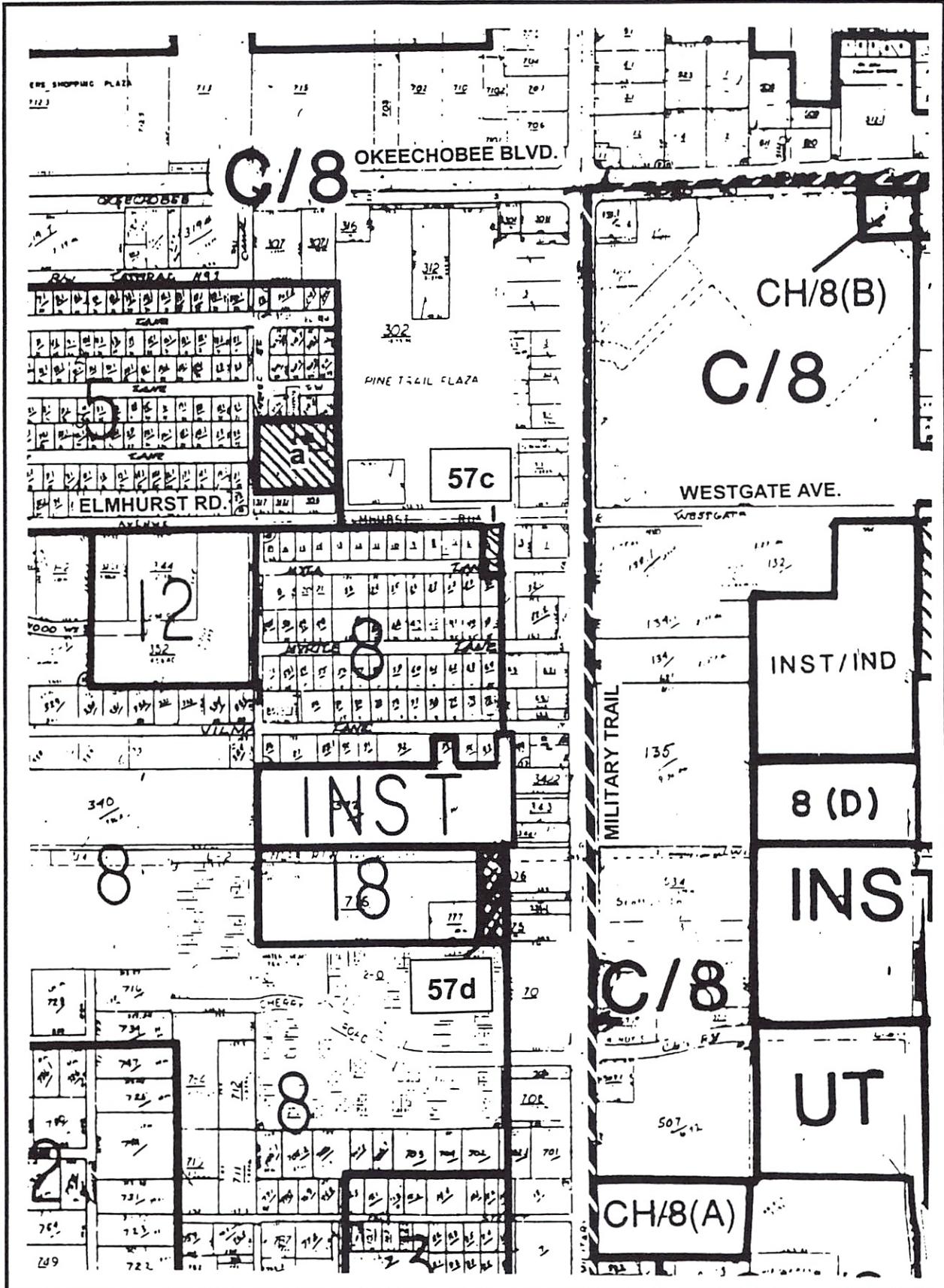
Amendment No.: 99 - CHX (57c, 57d)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 57c: approx. 0.46 ac.; 57d: approx. 0.92 ac.

Property No.: 57c: 00-42-43-25-03-000-0050 (cross-hatched portion only);
57d: 00-42-43-25-00-000-7060 (cross-hatched portion only);
00-42-43-25-00-000-7060 (cross-hatched portion only).



B. Future Land Use Atlas page 58 is amended as follows:

Amendment No.: 99 - CHX (58a, 58b, 58c)

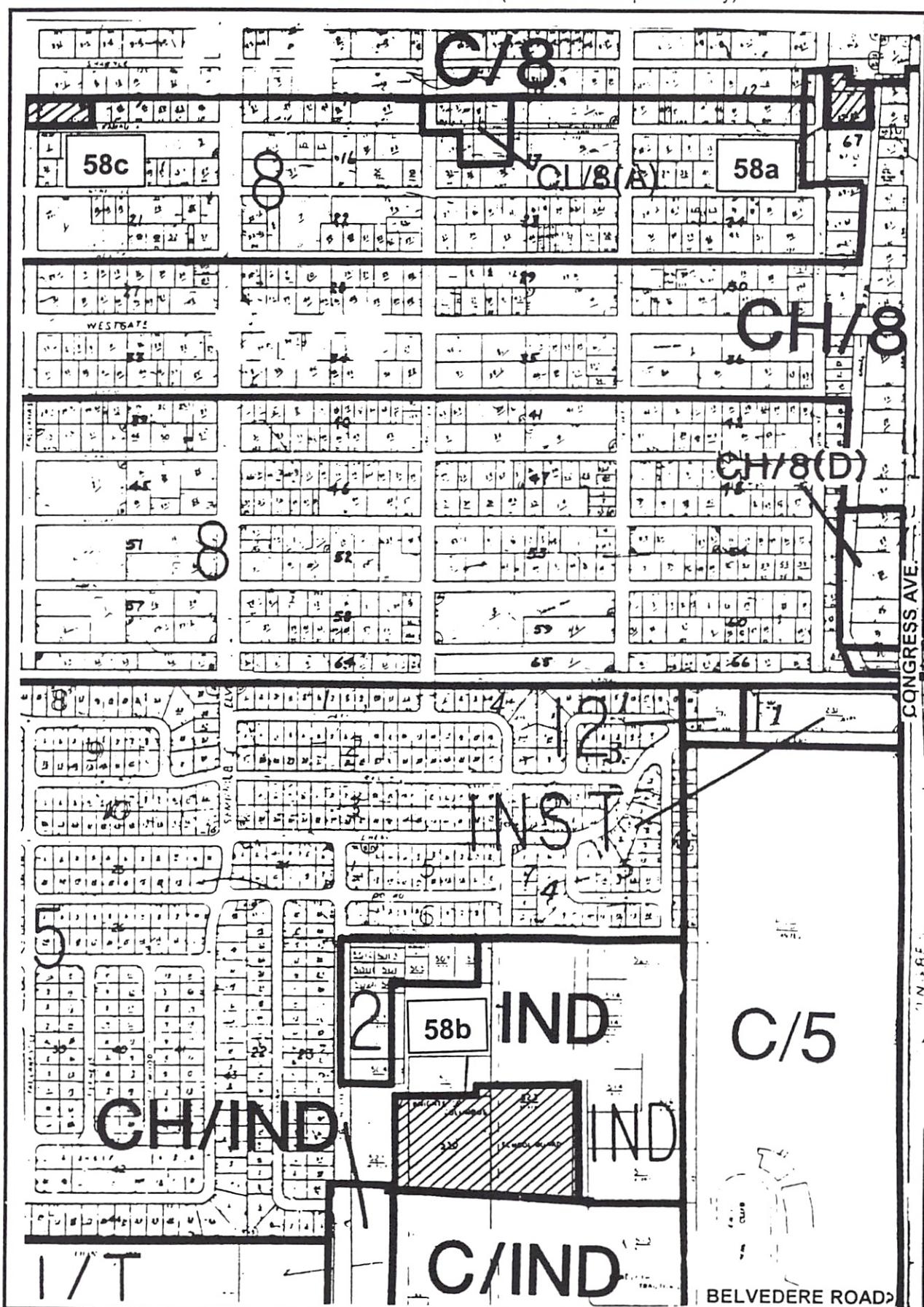
Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 58a: approx. 0.92 ac.; 58b: approx. 7.35 ac.; 58c: approx. 0.92 ac.

Property No.: 58a: 00-43-43-30-03-067-0011 (cross-hatched portion only);
58b: 00-43-43-30-00-000-5300 (cross-hatched portion only);
00-43-43-30-00-000-5230 (cross-hatched portion only);

58c: 00-43-43-30-03-009-0310 (cross-hatched portion only).



C. Future Land Use Atlas page 64 is amended as follows:

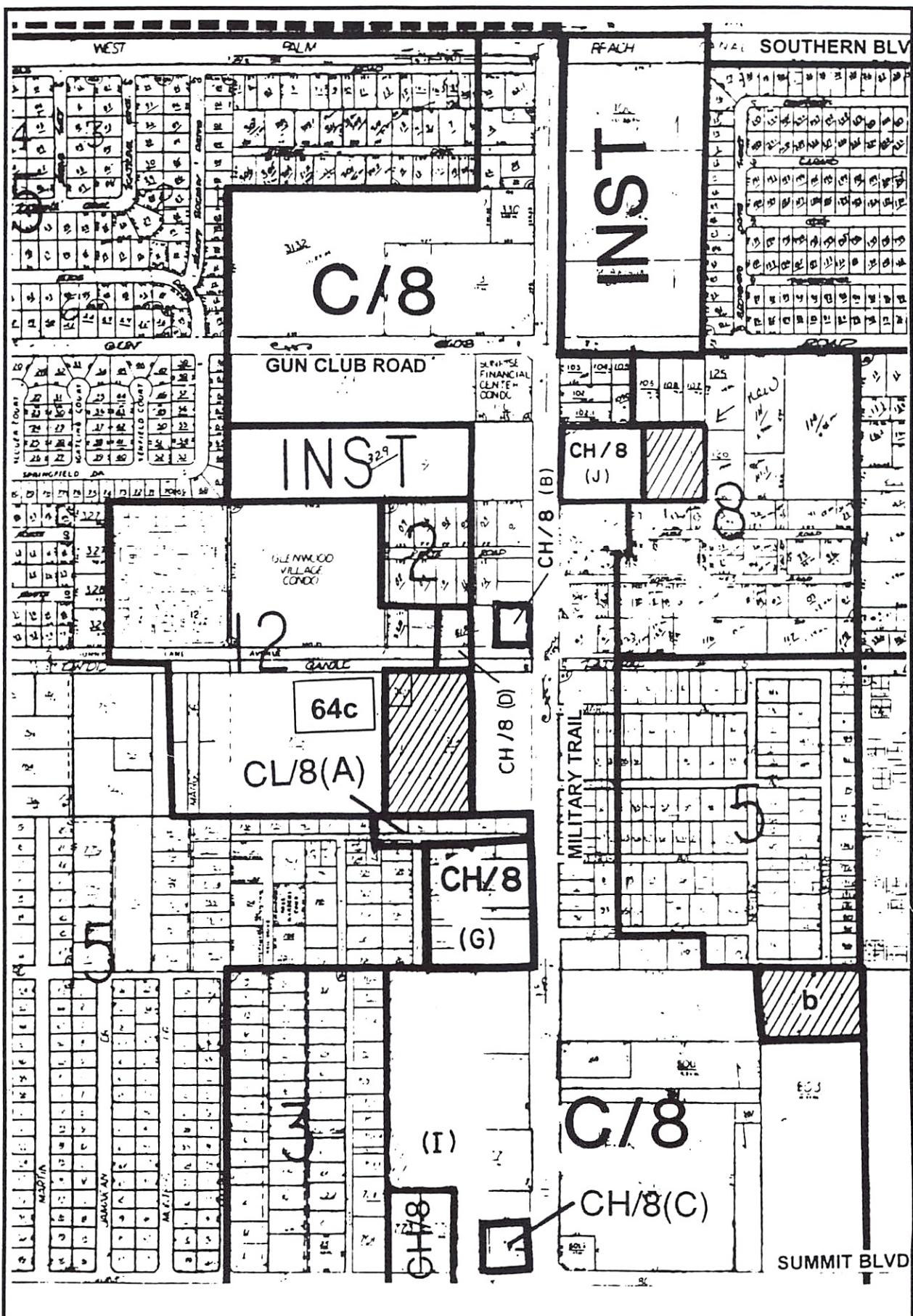
Amendment No.: 99 - CHX (64c)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 8.33 ac.

Property No.: 00-42-44-01-00-000-7120 (cross-hatched portion only);
00-42-44-01-00-000-7121 (cross-hatched portion only).



D. Future Land Use Atlas page 64 is amended as follows:

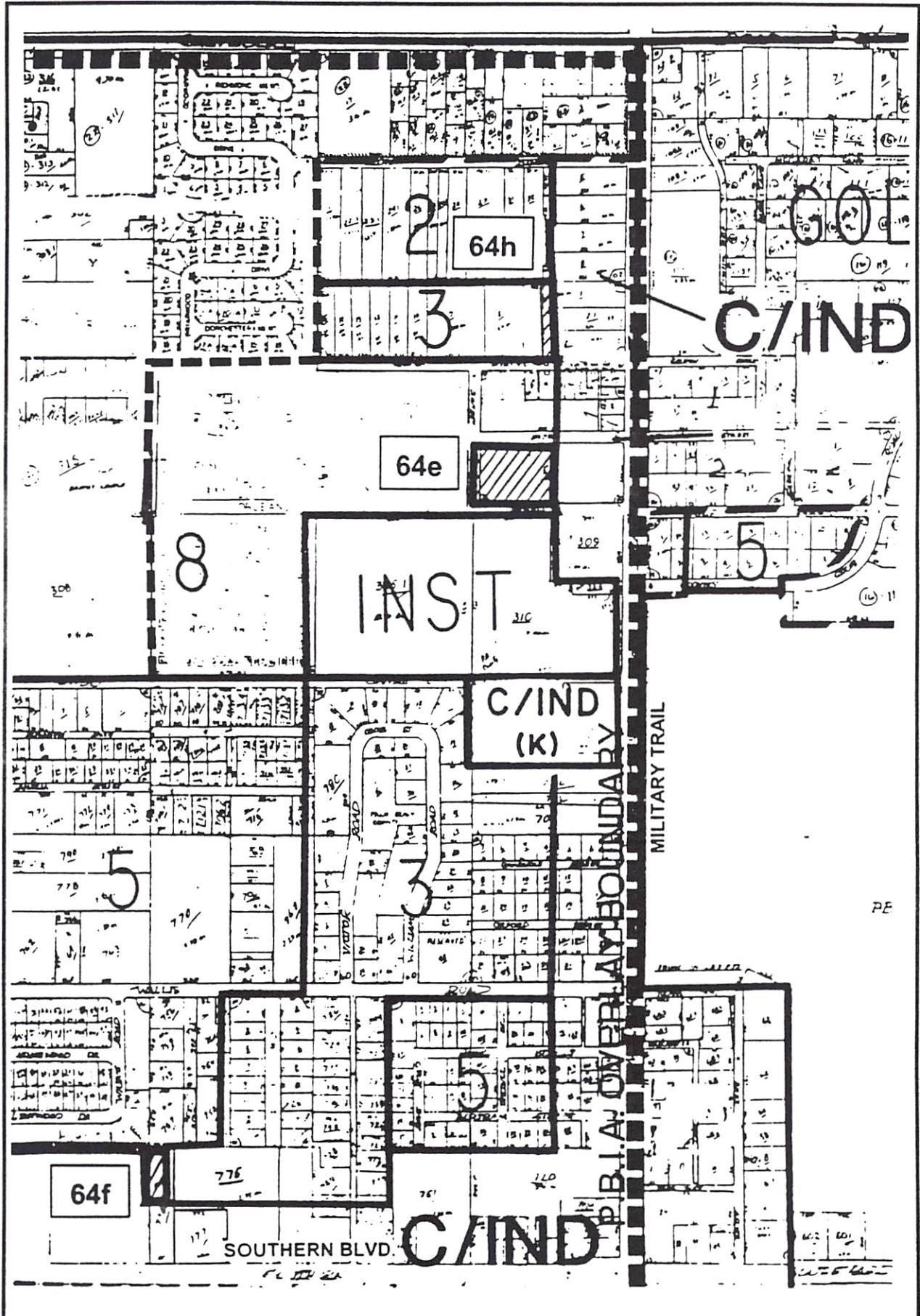
Amendment No.: 99 - CHX (64e, 64f, 64h)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 64e: approx. 2.0 ac.; 64f: approx. 0.58 ac.; 64h: approx. 0.60 ac.

Property No.: 64e: 00-42-43-36-20-000-0050 (cross-hatched portion only);
64f: 00-42-43-36-00-000-7760 (cross-hatched portion only);
64h: 00-42-43-36-10-000-0040 (cross-hatched portion only).



E. Future Land Use Atlas page 65 is amended as follows:

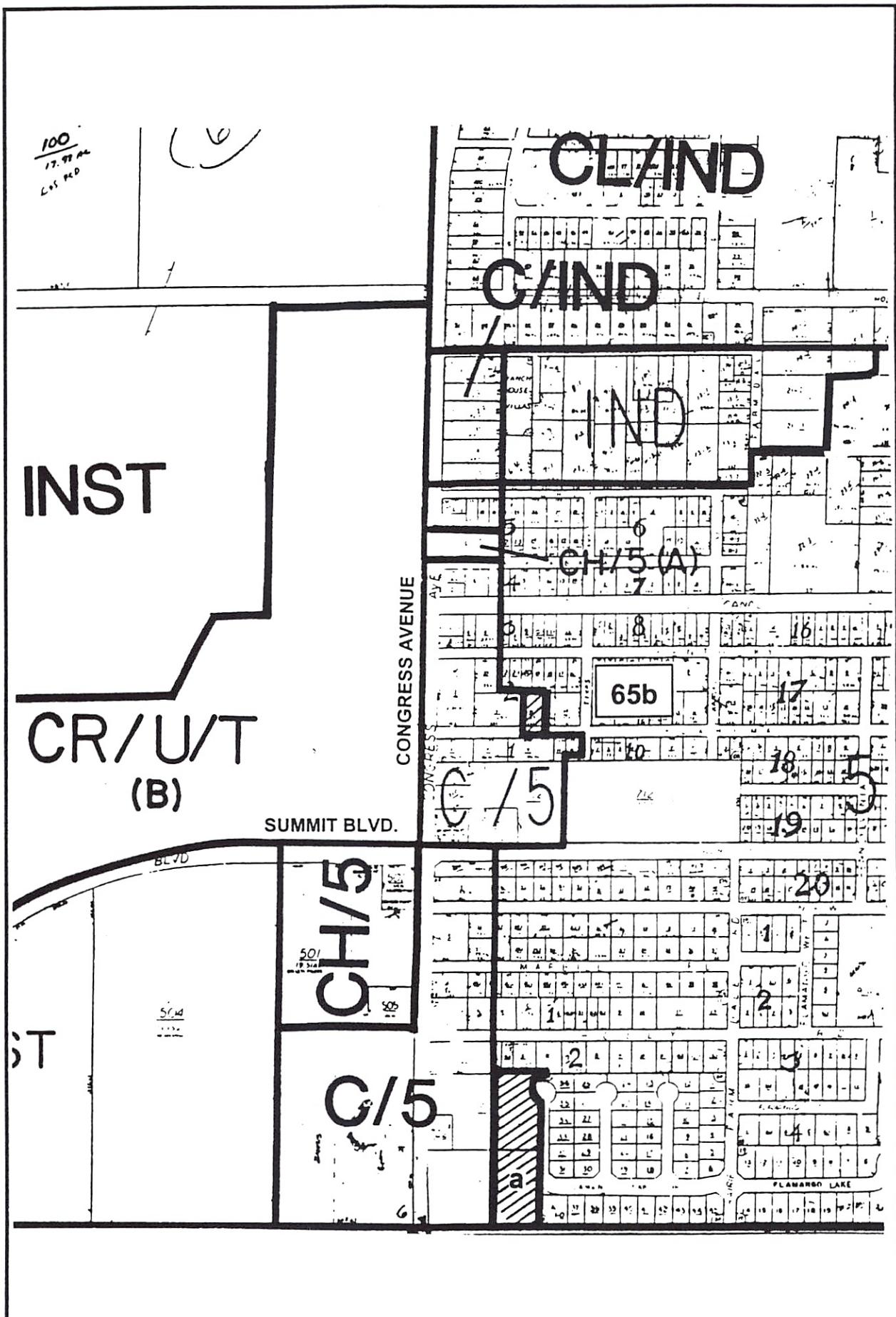
Amendment No.: 99 - CHX (65b)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 0.33 ac.

Property No.: 00-43-44-05-08-002-0110 (cross-hatched portion only)



F. Future Land Use Atlas page 71 is amended as follows:

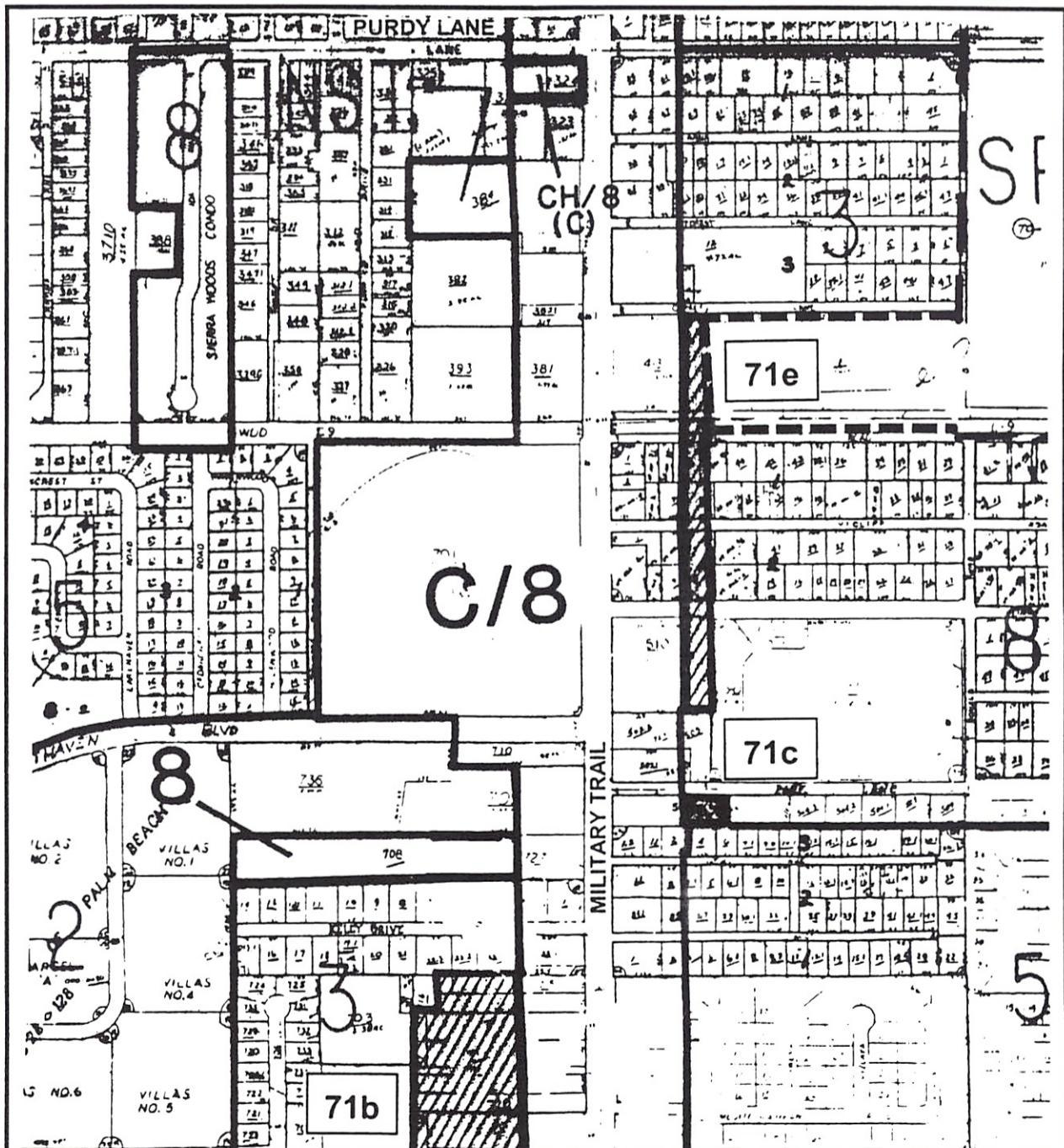
Amendment No.: 99 - CHX (71b, 71c, 71e)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 71b: approx. 4.74 ac.; 71c: approx. 0.46 ac.; 71e: approx. 3.21 ac.

Property No.: 71b: 00-42-44-13-00-000-7110 (cross-hatched portion only);
00-42-44-13-00-000-7120 (cross-hatched portion only);
00-42-44-13-00-000-7121 (cross-hatched portion only);
00-42-44-13-00-000-7130 (cross-hatched portion only);
00-42-44-13-00-000-7170 (cross-hatched portion only);
00-42-44-13-00-000-7180 (cross-hatched portion only);
00-42-44-13-00-000-7190 (cross-hatched portion only);
00-42-44-13-00-000-7200 (cross-hatched portion only);
00-42-44-13-00-000-7370 (cross-hatched portion only);
71c: 00-42-44-13-00-000-5030 (cross-hatched portion only);
71e: 00-42-44-13-05-001-0480 (cross-hatched portion only);
00-42-44-13-05-001-0070 (cross-hatched portion only);
00-42-44-13-05-001-0090 (cross-hatched portion only);
00-42-44-13-05-002-0070 (cross-hatched portion only);
00-42-44-13-09-002-0090 (cross-hatched portion only);
00-42-44-13-09-002-0470 (cross-hatched portion only);
00-42-44-13-00-000-5100 (cross-hatched portion only).



G. Future Land Use Atlas page 71 is amended as follows:

Amendment No.: 99 - CHX (71f, 71g, 71h, 71i)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 71f: approx. 0.92 ac.; 71g: approx. 1.20 ac.; 71h: approx. 3.21 ac.; 71i: approx. 1.37 ac.

Property No.: 71f: 00-42-44-12-00-000-7370 (cross-hatched portion only);

71g: 00-42-44-12-04-000-0010 (cross-hatched portion only);

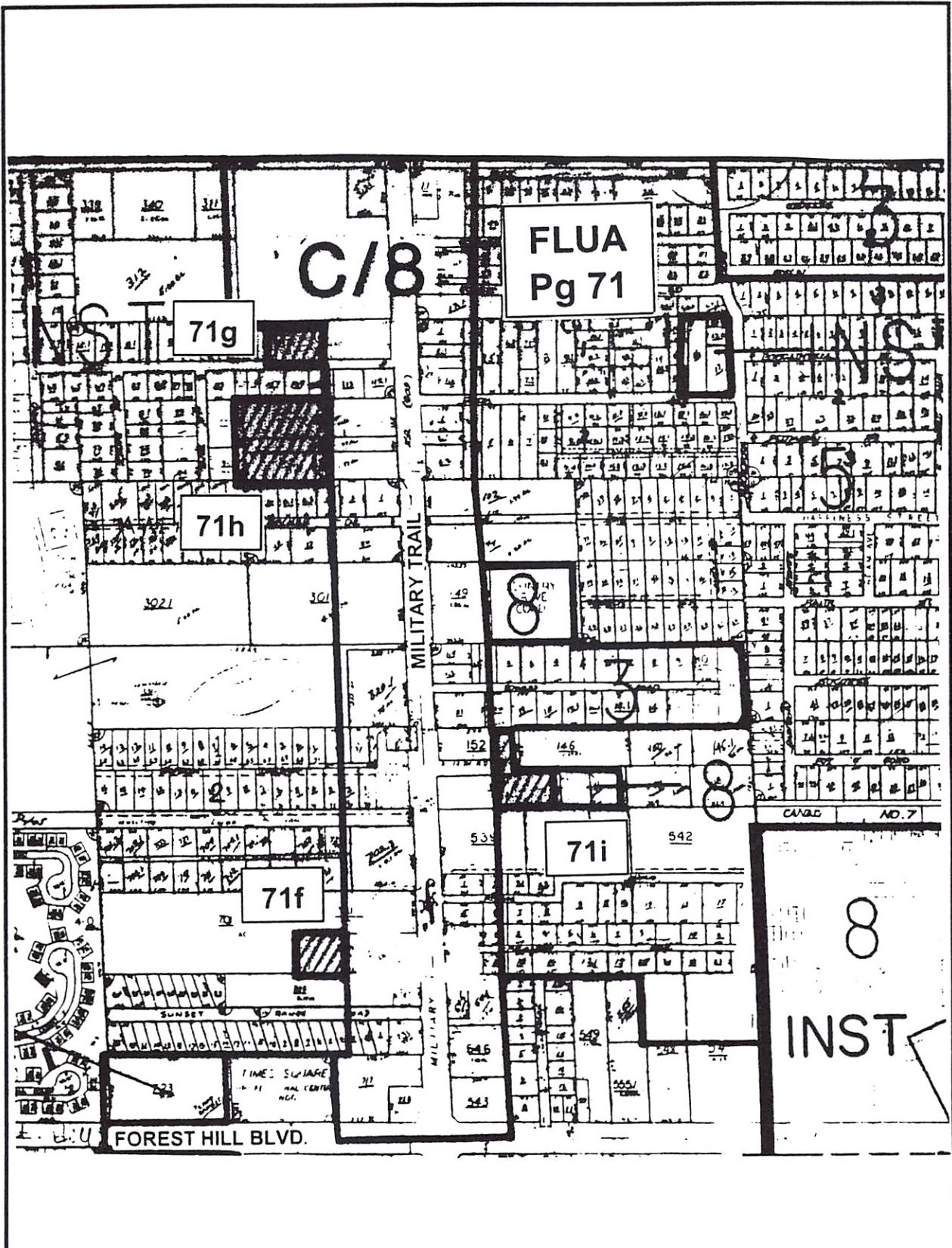
71h: 00-42-44-12-00-000-3230 (cross-hatched portion only);

00-42-44-12-00-000-3220 (cross-hatched portion only);

00-42-44-12-00-000-3210 (cross-hatched portion only);

71i: 00-42-44-12-00-000-1520 (cross-hatched portion only);

00-42-44-12-00-000-1450 (cross-hatched portion only).



H. Future Land Use Atlas page 72 is amended as follows:

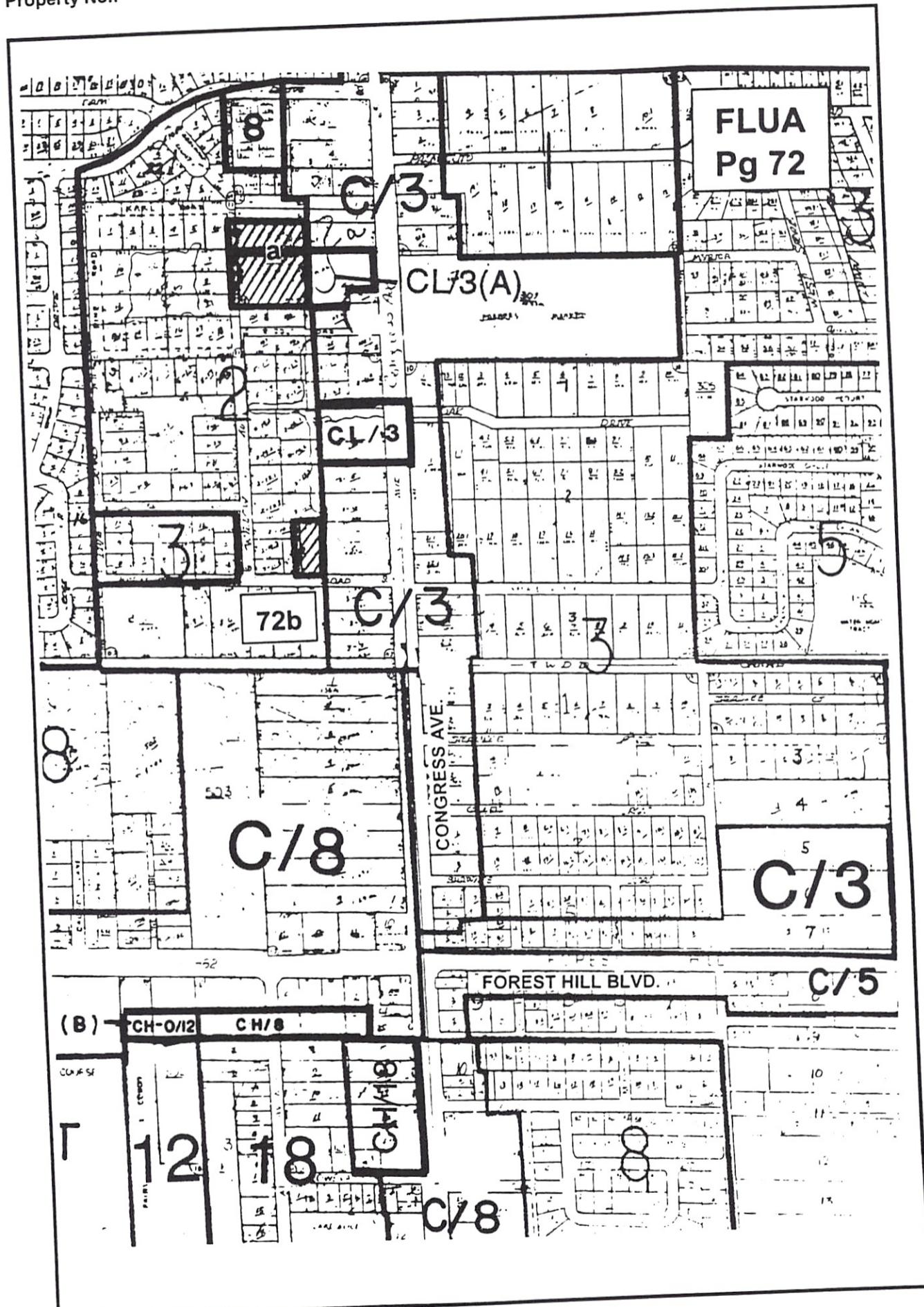
Amendment No.: 99 - CHX (72b)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 0.69 ac.

Property No.: 00-43-44-07-03-002-0070 (cross-hatched portion only)



I. Future Land Use Atlas page 72 is amended as follows:

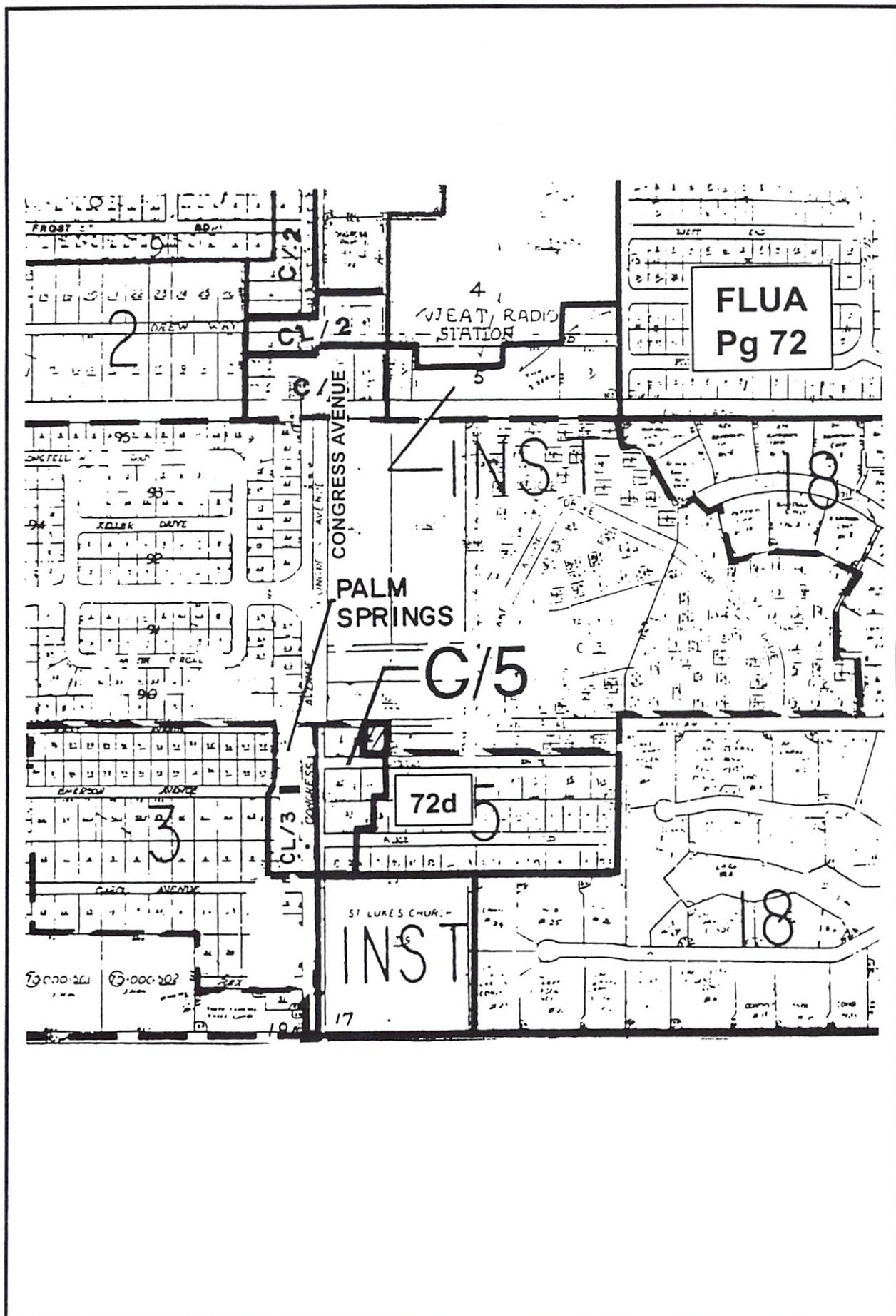
Amendment No.: 99 - CHX (72d)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 0.36 ac.

Property No.: 00-43-44-17-03-000-0030 (cross-hatched portion only)



J. Future Land Use Atlas page 77 is amended as follows:

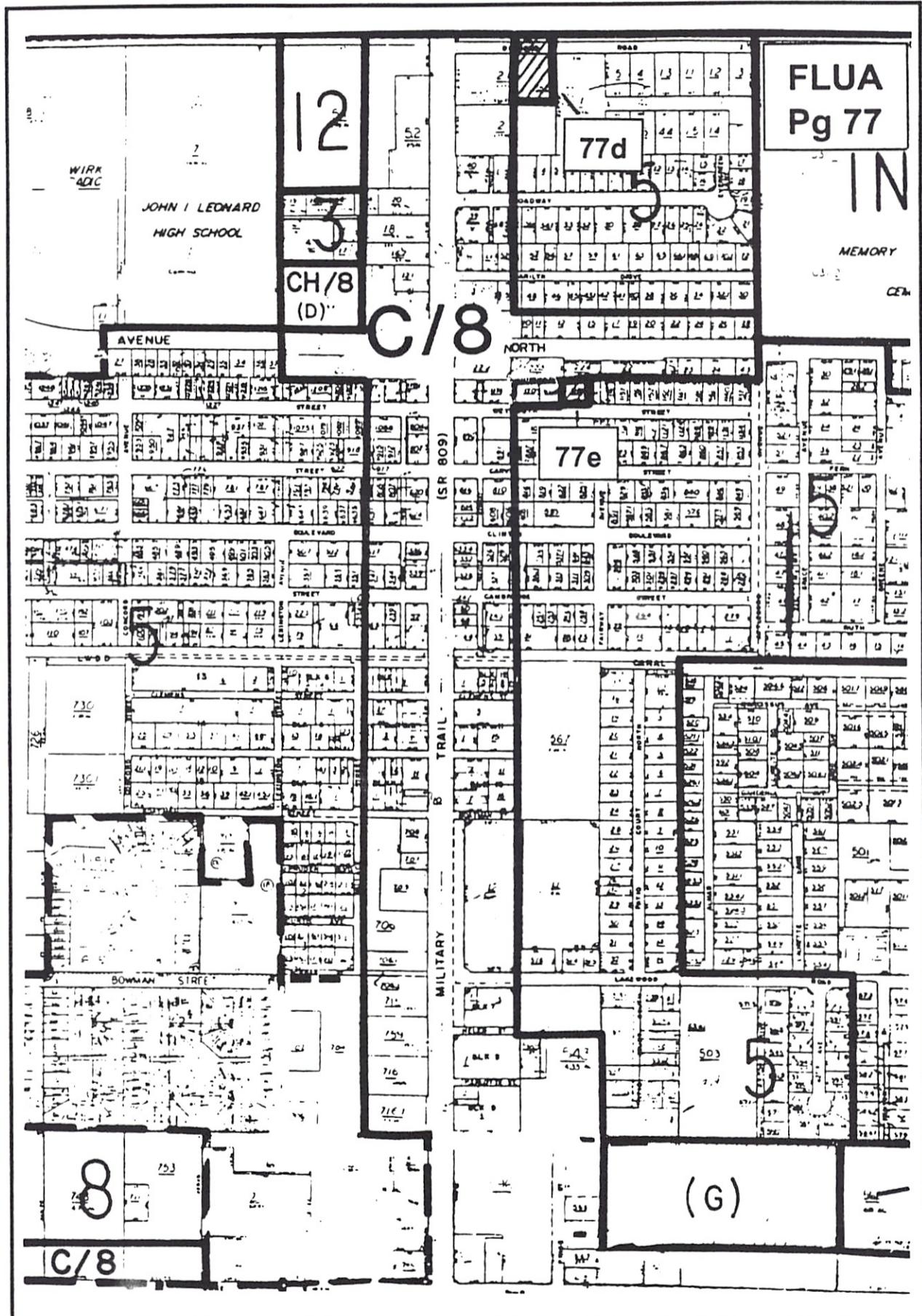
Amendment No.: 99 - CHX (77d, 77e)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 77d: approx. 1.38 ac.; 77e: approx. 0.33 ac.

Property No.: 77d: 00-42-44-24-01-000-0021 (cross-hatched portion only);
77e: 00-42-44-24-10-099-1161 (cross-hatched portion only).



K. Future Land Use Atlas page 78 is amended as follows:

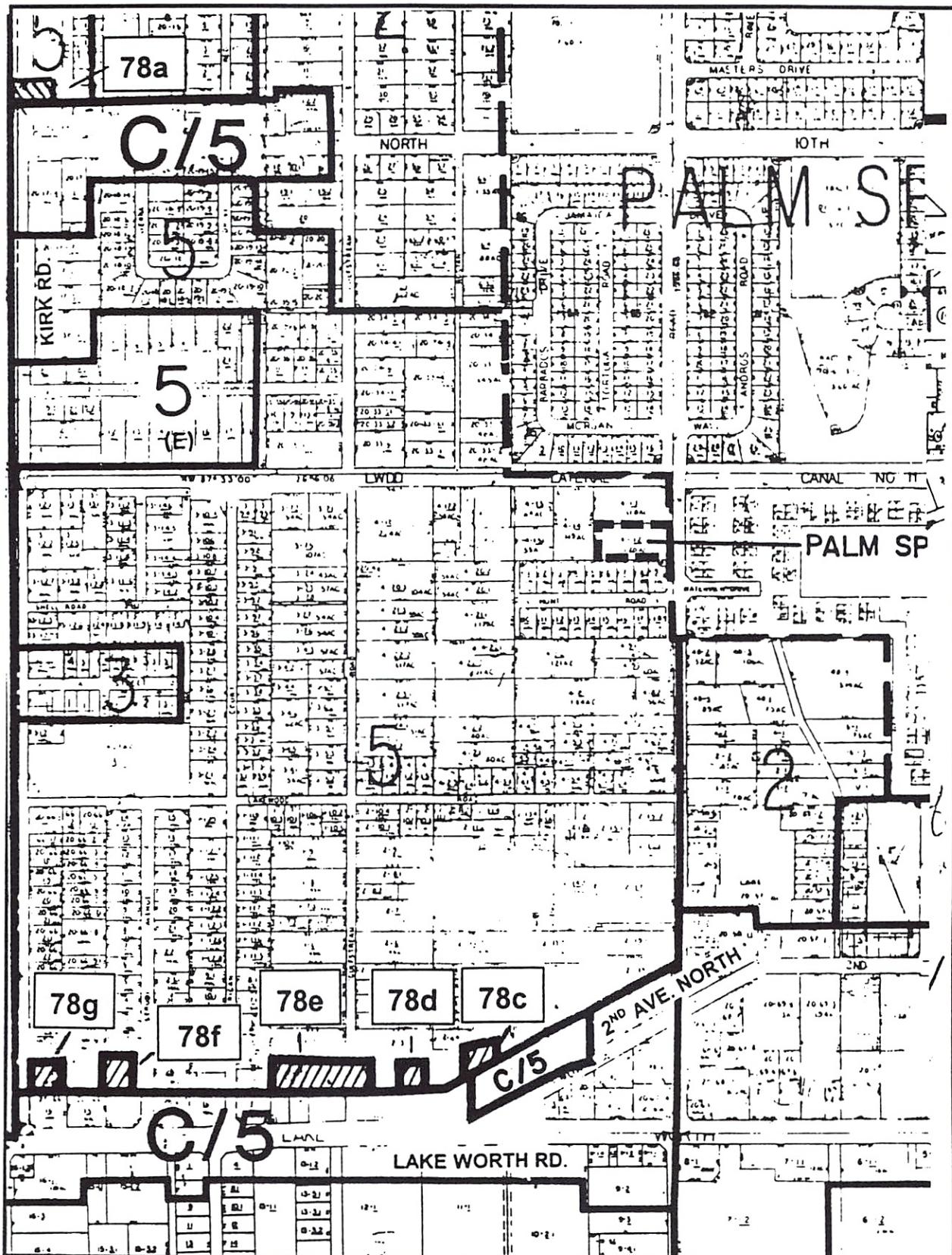
Amendment No.: 99 - CHX (78a, 78c, 78d, 78e, 78f, 78g)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size:
78a: approx. 0.50 ac.; 78c: approx. 0.30 ac.; 78d: approx. 0.23 ac.;
78e: approx. 0.80 ac.; 78f: approx. 0.51 ac.; 78g: approx. 0.60 ac.

Property No.: 78a: 00-43-44-19-15-000-0030 (cross-hatched portion only);
00-43-44-19-15-000-0012 (cross-hatched portion only);
78c: 00-43-44-19-11-002-0231 (cross-hatched portion only);
78d: 00-43-44-19-11-002-0022 (cross-hatched portion only);
78e: 00-43-44-19-11-002-0010 (cross-hatched portion only);
00-43-44-19-11-001-0020 (cross-hatched portion only);
78f: 00-43-44-19-17-000-0010 (cross-hatched portion only);
78g: 00-43-44-19-20-066-0280 (cross-hatched portion only).



L. Future Land Use Atlas page 78 is amended as follows:

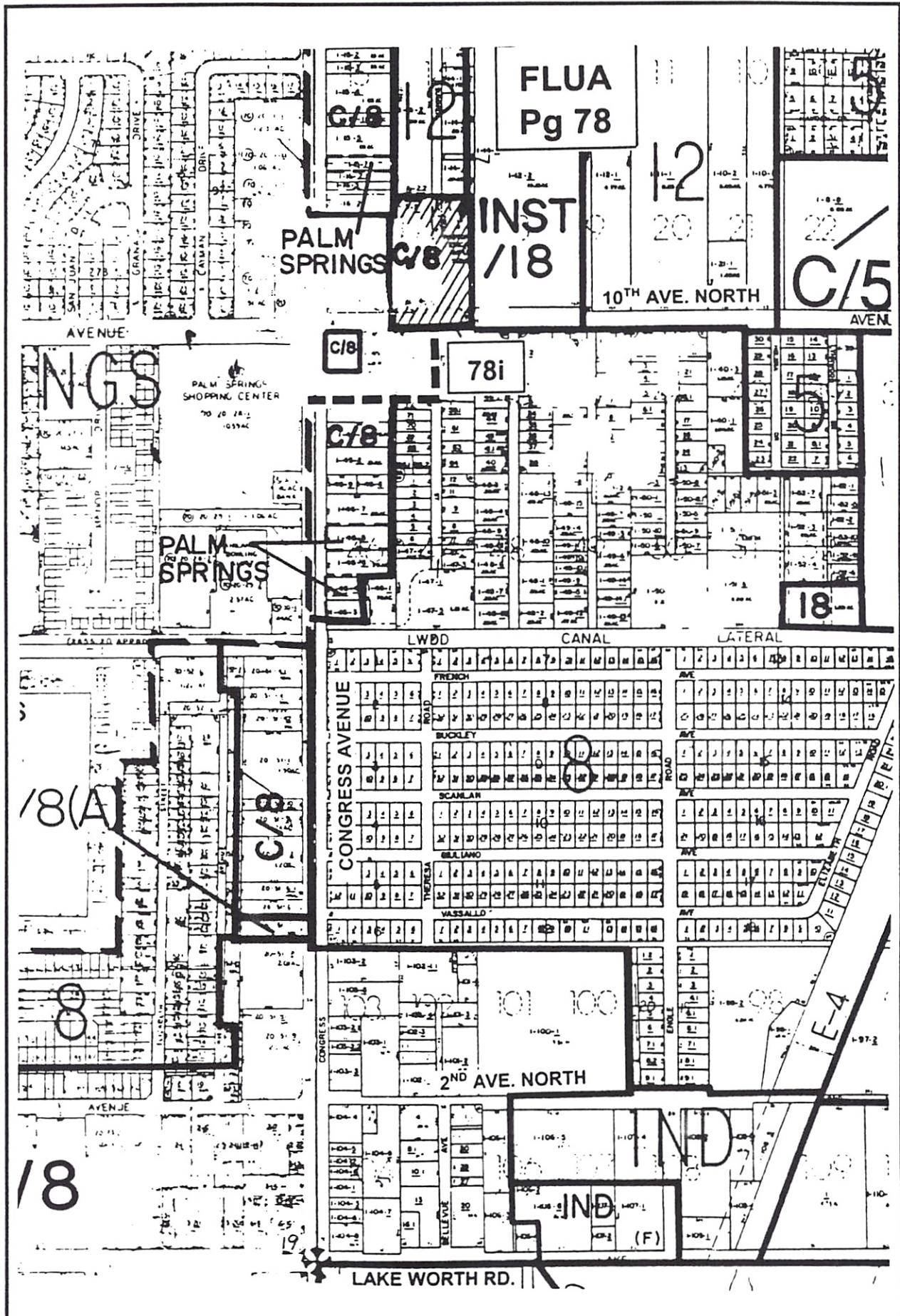
Amendment No.: 99 - CHX (78i)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 4.0 ac.

Property No.: 00-43-44-20-01-017-0010 (cross-hatched portion only)



M. Future Land Use Atlas page 82 is amended as follows:

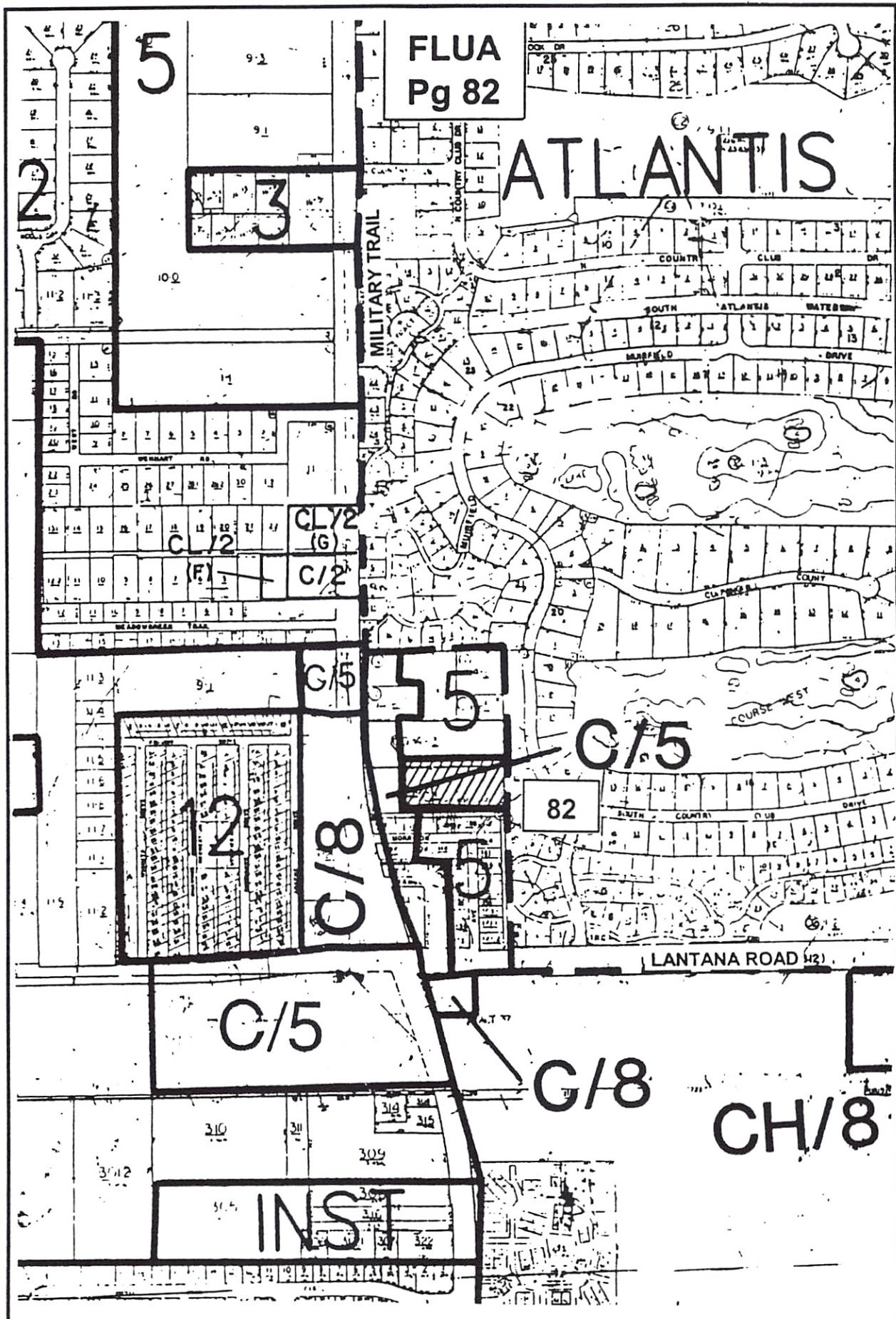
Amendment No.: 99 - CHX (82)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 2.58 ac.

Property No.: 00-42-44-36-10-014-0010 (cross-hatched portion only)



N. Future Land Use Atlas page 83 is amended as follows:

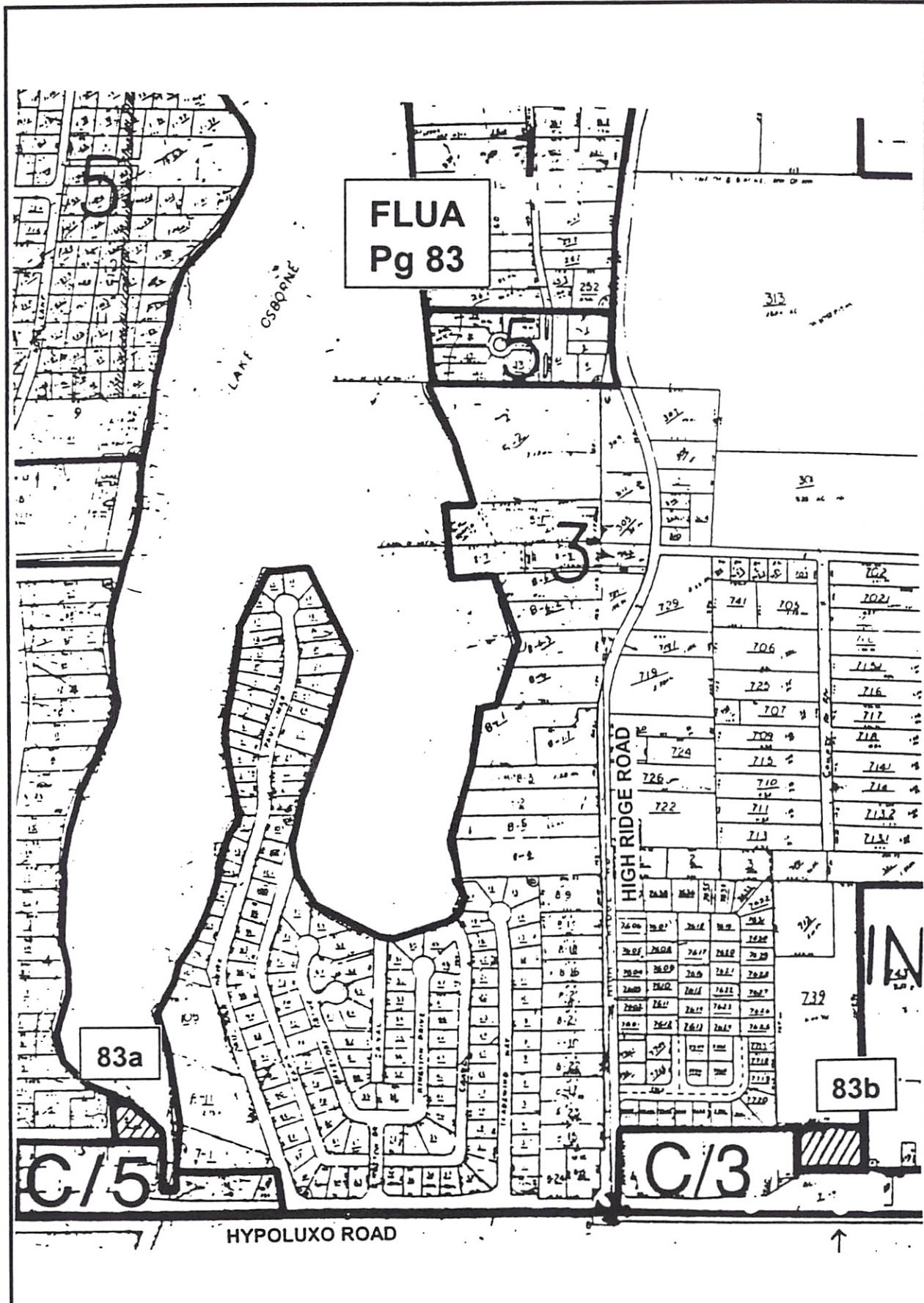
Amendment No.: 99 - CHX (83a, 83b)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: 83a: approx. 0.75 ac.; 83b: approx. 1.72 ac.

Property No.: 83a: 00-43-45-05-01-003-0040 (cross-hatched portion only);
83b: 00-43-45-04-00-000-7340 (cross-hatched portion only);
00-43-45-04-00-000-7350 (cross-hatched portion only).



O. Future Land Use Atlas page 110 is amended as follows:

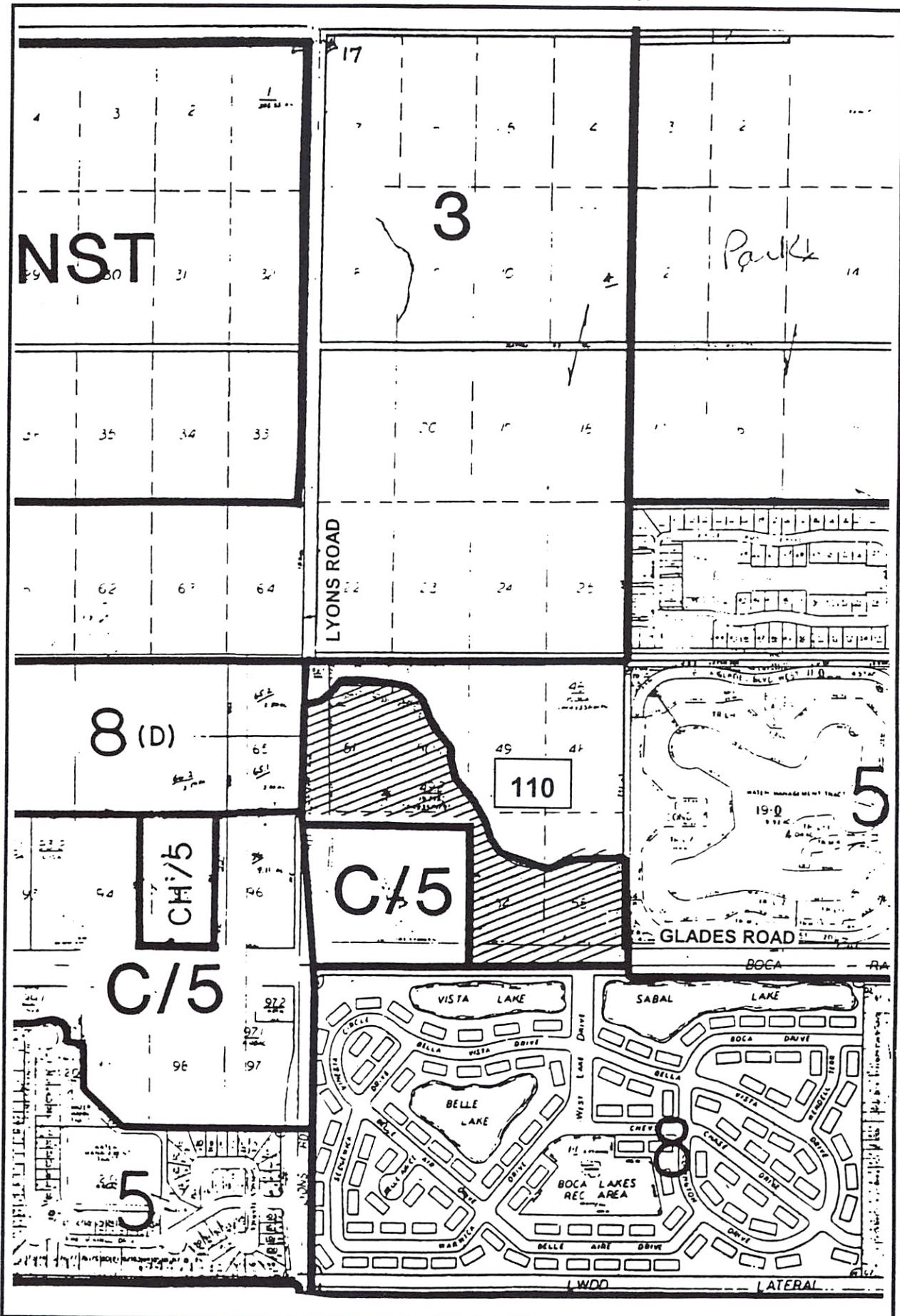
Amendment No.: 99 - CHX (110)

Amendment: Remove cross-hatching

Location: As depicted on the map below

Size: approx. 15.0 ac.

Property No.: 00-42-43-27-05-076-0492 (cross-hatched portion only);
00-42-47-17-10-000-0500 (cross-hatched portion only).



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STATE OF FLORIDA, COUNTY OF PALM BEACH

I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a

true and correct copy of the original filed in my office
on 19 November 13, 1999 Ordinance -

DATED at West Palm Beach, FL on 1/4/00.

DOROTHY H. WILKEN, Clerk

Sig: Diane Brown D.C.

Exhibit 1